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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ESTRADA, ANGEL R

ART UNIT

PAPER NUMBER

2831

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/725,987

Applicant(s)

ROESCH ET AL.

Examiner

Angel R. Estrada

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/2/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nattel et al (US 5,354,953, hereinafter Nattel) in view of Hansen (US 4,140,293).

Regarding claim 1, Nattel discloses a gangable electrical unit (see figure 2) comprising a bracket (14) for housing an electrical component (see figure 1); said bracket (14) including a wall structure that defines a front opening (see figure 2); but Nattel lacks an adhering element positioned on the wall structure of the ganged electrical unit, said adhering element positioned to engage the wall of the electrical outlet box. Hansen teaches a bracket (C) including a wall structure that defines a front

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opening and an adhering element (9) positioned on the wall structure of the bracket (10), said adhering element (9) positioned to engage the wall of an electrical outlet box (A). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to Nattel's bracket with an adhering element coupled to the wall structure of the bracket as taught by Hansen to make a firm permanent connection between the bracket and the outlet box and to reduce the manufacturing process.

Regarding claim 2, the modified Nattel discloses the gangable unit (see figure 2) wherein the wall structure of the bracket (14) includes a top wall (18), a bottom wall (see figure 2; 18), an attachment side wall (16), and the adhering element (9 as taught by Hansen) being attached to the attachment side wall (16).

Regarding claim 3, Nattel discloses the gangable electrical unit (see figure 2), wherein the wall structure of the bracket (14) includes three walls that partially surround the front opening (see figure 2).

Regarding claim 4, Hansen teaches that the adhering element (9) can be a double sided adhesive tape (column 2 line 3-5).

Regarding claim 5, Hansen teaches that the adhering element (9) is an adhesive (column 2 line 3-5).

Regarding claim 6, Hansen teaches that the adhering element (9) can be a putty (column 2 line 3-5).

Regarding claim 7, Hansen teaches that the adhering element (9) can be a hook and loop tape (column 2 line 3-5).

Regarding claim 8, Nattel discloses a ganged electrical outlet box assembly (see figure 1) comprising: a gangable electrical unit (14); an electrical outlet box (12) having a four-sided wall structure defining a front opening (see figure 2), said electrical outlet box wall structure having an outer periphery and an interior, said interior for receiving an electrical component (see figure 1 and 2); but Nattel lacks the gangable electrical unit being attached to the electrical outlet box by an adhering element. Hansen teaches a bracket (C) including a wall structure that defines a front opening and an adhering element (9) positioned on the wall structure of the bracket (10), said bracket (10) being attached to the electrical box (A) by an adhering element (9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to Nattel's gangable electrical unit with an adhering element to attach the gangable unit to the outlet box as taught by Hansen to make a firm permanent connection between the gangable electrical unit and the outlet box and to reduce the manufacturing process.

Regarding claim 9, Hansen teaches that the adhering element (9) can be a double-sided adhesive tape (column 2 line 3-5).

Regarding claim 10, Hansen teaches that the adhering element (9) is an adhesive (column 2 line 3-5).

Regarding claim 11, Hansen teaches that the adhering element (9) can be a putty (column 2 line 3-5).

Regarding claim 12, Hansen teaches that the adhering element (9) can be a hook and loop tape (column 2 line 3-5).

Regarding claim 13, Nattel discloses a gangable electrical unit (see figure 1) for positioning an electrical component (10) beside an electrical outlet (12) that houses an electrical component (see figure 1), the gangable electrical unit comprising: a bracket (14) configured to house an electrical component (10); but Nattel lacks means for adhering the bracket to an electrical outlet box to form a ganged electrical assembly; but Nattel lacks means for adhering the bracket to an electrical outlet box to form a ganged electrical assembly Hansen teaches a bracket (C) including a wall structure that defines a front opening and an adhering element (9) positioned on the wall structure of the bracket (10), said adhering element (9) positioned to engage the wall of an electrical outlet box (A). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to Nattel's bracket with means for adhering the bracket to the electrical box as taught by Hansen to make a firm permanent connection between the bracket and the outlet box and to reduce the manufacturing process.

### ***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gretz (US D427, 889 and US 6,452,098) discloses an electrical box assembly.

3. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

AE

February 11, 2004

 2/20/04  
DEAN A. REICHARD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800